

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 5
OFFERED BY M . _____**

Strike section 112 and insert the following:

1 **SEC. 112. STATE PLANS.**

2 Section 1111 (20 U.S.C. 6311) is amended to read
3 as follows:

4 **“SEC. 1111. STATE PLANS.**

5 “(a) PLANS REQUIRED.—

6 “(1) IN GENERAL.—For any State desiring to
7 receive a grant under this part, the State edu-
8 cational agency shall submit to the Secretary a plan,
9 developed by the State educational agency, in con-
10 sultation with representatives of local educational
11 agencies, teachers, school leaders, specialized in-
12 structional support personnel, early childhood edu-
13 cation providers, parents, community organizations,
14 communities representing underserved populations,
15 and Indian tribes, that satisfies the requirements of
16 this section, and that is coordinated with other pro-
17 grams of this Act, the Individuals with Disabilities
18 Education Act, the Carl D. Perkins Career and
19 Technical Education Act of 2006, the Head Start

1 Act, the Adult Education and Family Literacy Act,
2 and the McKinney-Vento Homeless Assistance Act.

3 “(2) CONSOLIDATED PLAN.—A State plan sub-
4 mitted under paragraph (1) may be submitted as a
5 part of a consolidated plan under section 9302.

6 “(b) COLLEGE AND CAREER READY CONTENT
7 STANDARDS, ASSESSMENTS, AND ACHIEVEMENT STAND-
8 ARDS.—

9 “(1) GENERAL REQUIREMENTS.—Each State
10 plan shall include evidence that the State’s college
11 and career ready content standards, assessments,
12 and achievement standards under this subsection
13 are—

14 “(A) vertically aligned from kindergarten
15 through grade 12; and

16 “(B) developed and implemented to ensure
17 that proficiency in the content standards will
18 signify that a student is on-track to graduate
19 prepared for—

20 “(i) according to written affirmation
21 from the State’s public institutions of high-
22 er education, placement in credit-bearing,
23 nonremedial courses at the 2-and 4-year
24 public institutions of higher education in
25 the State; and

1 “(ii) success on relevant State career
2 and technical education standards.

3 “(2) COLLEGE AND CAREER READY CONTENT
4 STANDARDS.—

5 “(A) IN GENERAL.—Each State plan shall
6 demonstrate that, not later than the 2015–2016
7 school year the State educational agency will
8 adopt and implement high-quality, college and
9 career ready content standards that comply
10 with this paragraph.

11 “(B) SUBJECTS.—The State educational
12 agency shall have such high-quality, academic
13 content standards for students in kindergarten
14 through grade 12 for, at a minimum, English
15 language arts, math, and science.

16 “(C) ELEMENTS.—College and career
17 ready content standards under this paragraph
18 shall—

19 “(i) be developed through participa-
20 tion in a State-led process that engages—

21 “(I) kindergarten through-grade-
22 12 education experts (including teach-
23 ers and educational leaders); and

24 “(II) representatives of institu-
25 tions of higher education, the business

1 community, and the early learning
2 community;

3 “(ii) be rigorous, internationally
4 benchmarked, and evidence-based, requir-
5 ing students to demonstrate the ability to
6 think critically, solve problems, and com-
7 municate effectively;

8 “(iii) be either—

9 “(I) validated, including through
10 written affirmation from the State’s
11 public institutions of higher education,
12 to ensure that proficiency in the con-
13 tent standards will signify that a stu-
14 dent is on-track to graduate prepared
15 for—

16 “(aa) placement in credit-
17 bearing, nonremedial courses at
18 the 2-and 4-year public institu-
19 tions of higher education in the
20 State; and

21 “(bb) success on relevant
22 State career and technical edu-
23 cation standards; or

1 “(II) State-developed and volun-
2 tarily adopted by a significant number
3 of States;

4 “(iv) for standards from kindergarten
5 through grade 3, reflect progression in how
6 children develop and learn the requisite
7 skills and content from earlier grades (in-
8 cluding preschool) to later grades; and

9 “(v) apply to all schools and students
10 in the State.

11 “(D) ENGLISH LANGUAGE PROFICIENCY
12 STANDARDS.—Each State educational agency
13 shall develop and implement statewide, high-
14 quality English language proficiency standards
15 that—

16 “(i) are aligned with the State’s aca-
17 demic content standards;

18 “(ii) reflect the academic language
19 that is required for success on the State
20 educational agency’s academic content as-
21 sessments;

22 “(iii) predict success on the applicable
23 grade level English language arts content
24 assessment;

1 “(iv) ensure proficiency in each of the
2 domains of speaking, listening, reading,
3 and writing in the appropriate amount of
4 time; and

5 “(v) address the different proficiency
6 levels of English learners.

7 “(E) EARLY LEARNING STANDARDS.—The
8 State educational agency shall, in collaboration
9 with the State agencies responsible for over-
10 seeing early care and education programs and
11 the State early care and education advisory
12 council, develop and implement early learning
13 standards across all major domains of develop-
14 ment for preschoolers that—

15 “(i) demonstrate alignment with the
16 State academic content standards;

17 “(ii) are implemented through dis-
18 semination, training, and other means to
19 applicable early care and education pro-
20 grams;

21 “(iii) reflect research and evidence-
22 based developmental and learning expecta-
23 tions;

24 “(iv) inform teaching practices and
25 professional development and services; and

1 “(v) for preschool age children, appro-
2 priately assist in the transition to kinder-
3 garten.

4 “(F) ASSURANCE.—Each State plan shall
5 include an assurance that the State has imple-
6 mented the same content standards for all stu-
7 dents in the same grade and does not have a
8 policy of using different content standards for
9 any student subgroup.

10 “(3) HIGH-QUALITY ASSESSMENTS.—

11 “(A) IN GENERAL.—Each State plan shall
12 demonstrate that the State educational agency
13 will adopt and implement high-quality assess-
14 ments in English language arts, math, and
15 science not later than the 2016–2017 school
16 year that comply with this paragraph.

17 “(B) ELEMENTS.—Such assessments
18 shall—

19 “(i) be valid, reliable, appropriate, and
20 of adequate technical quality for each pur-
21 pose required under this Act, and be con-
22 sistent with relevant, nationally recognized
23 professional and technical standards;

24 “(ii) measure the knowledge and skills
25 necessary to demonstrate proficiency in the

1 academic content standards under para-
2 graph (2) for the grade in which the stu-
3 dent is enrolled;

4 “(iii) be developed as part of a system
5 of assessments providing data (including
6 individual student achievement data and
7 individual student growth data), that shall
8 be used to improve teaching, learning, and
9 program outcomes;

10 “(iv) be used in determining the per-
11 formance of each local educational agency
12 and school in the State in accordance with
13 the State’s accountability system under
14 subsection (c);

15 “(v) provide an accurate measure of—

16 “(I) student achievement at all
17 levels of student performance; and

18 “(II) student academic growth;

19 “(vi) allow for complex demonstra-
20 tions or applications of knowledge and
21 skills including the ability to think criti-
22 cally, solve problems, and communicate ef-
23 fectively;

1 “(vii) be accessible for all students, in-
2 cluding students with disabilities and
3 English learners, by—

4 “(I) incorporating principles of
5 universal design as defined by section
6 3(a) of the Assistive Technology Act
7 of 1998 (29 U.S.C. 3002(a)); and

8 “(II) being interoperable when
9 using any digital assessment, such as
10 computer-based and online assess-
11 ments;

12 “(viii) provide for accommodations,
13 including for computer-based and online
14 assessments, for students with disabilities
15 and English learners to provide a valid and
16 reliable measure of such students’ achieve-
17 ment;

18 “(ix) produce individual student inter-
19 pretive, descriptive, and diagnostic reports
20 that allow parents, teachers, and school
21 leaders to understand and address the spe-
22 cific academic needs of students, and in-
23 clude information regarding achievement
24 on academic assessments, and that are
25 provided to parents, teachers, and school

1 leaders, as soon as is practicable after the
2 assessment is given, in an understandable
3 and uniform format, and to the extent
4 practicable, in a language that parents can
5 understand; and

6 “(x) may be partially delivered in the
7 form of portfolios, projects, or extended
8 performance tasks as long as such assess-
9 ments meet the requirements of this sub-
10 section.

11 “(C) ADMINISTRATION.—Such assessments
12 shall—

13 “(i) be administered to all students,
14 including all subgroups described in sub-
15 section (c)(3)(A), in the same grade level
16 for each content area assessed, except as
17 provided under subparagraph (E),
18 through—

19 “(I) a single summative assess-
20 ment each school year; or

21 “(II) multiple statewide assess-
22 ments over the course of the school
23 year that result in a single summative
24 score that provides valid, reliable, and
25 transparent information on student

1 achievement for each tested content
2 area in each grade level;

3 “(ii) for English language arts and
4 math—

5 “(I) be administered annually, at
6 a minimum, for students in grade 3
7 through grade 8; and

8 “(II) be administered at least
9 once, but not earlier than 11th grade
10 for students in grades 9 through
11 grade 12; and

12 “(iii) for science, be administered at
13 least once during grades 3 through 5,
14 grades 6 through 8, and grades 9 through
15 12.

16 “(D) NATIVE LANGUAGE ASSESSMENTS.—
17 Each State educational agency with at least
18 10,000 English learners, at least 25 percent of
19 which speak the same language that is not
20 English, shall adopt and implement native lan-
21 guage assessments for that language consistent
22 with State law. Such assessments shall be for
23 students—

24 “(i) for whom the academic assess-
25 ment in the student’s native language

1 would likely yield more accurate and reli-
2 able information about such student's con-
3 tent knowledge;

4 “(ii) who are literate in the native lan-
5 guage and have received formal education
6 in such language; or

7 “(iii) who are enrolled in a bilingual
8 or dual language program and the native
9 language assessment is consistent with
10 such program's language of instruction.

11 “(E) ALTERNATE ASSESSMENTS FOR STU-
12 DENTS WITH THE MOST SIGNIFICANT COG-
13 NITIVE DISABILITIES.—In the case of a State
14 educational agency that adopts alternate
15 achievement standards for students with the
16 most significant cognitive disabilities described
17 in paragraph (4)(D), the State shall adopt and
18 implement high-quality statewide alternate as-
19 sessments aligned to such alternate achievement
20 standards that meet the requirements of sub-
21 paragraphs (B) and (C), so long as the State
22 ensures that in the State the total number of
23 students in each grade level assessed in each
24 subject does not exceed the cap established
25 under subsection (c)(3)(E)(iii)(II).

1 “(F) ENGLISH LANGUAGE PROFICIENCY
2 ASSESSMENTS.—Each State educational agency
3 shall adopt and implement statewide English
4 language proficiency assessments that—

5 “(i) are administered annually and
6 aligned with the State’s English language
7 proficiency standards and academic con-
8 tent standards;

9 “(ii) are accessible, valid, and reliable;

10 “(iii) measure proficiency in reading,
11 listening, speaking, and writing in English
12 both individually and collectively;

13 “(iv) assess progress and growth on
14 language and content acquisition; and

15 “(v) allow for the local educational
16 agency to retest a student in the individual
17 domain areas that the student did not
18 pass, unless the student is newly entering
19 a school in the State, or is in the third,
20 fifth, or eighth grades.

21 “(G) SPECIAL RULE WITH RESPECT TO
22 BUREAU FUNDED SCHOOLS.—In determining
23 the assessments to be used by each school oper-
24 ated or funded by the Department of the Inte-

1 rior’s Bureau of Indian Education receiving
2 funds under this part, the following shall apply:

3 “(i) Each such school that is accred-
4 ited by the State in which it is operating
5 shall use the assessments the State has de-
6 veloped and implemented to meet the re-
7 quirements of this section, or such other
8 appropriate assessment as approved by the
9 Secretary of the Interior.

10 “(ii) Each such school that is accred-
11 ited by a regional accrediting organization
12 shall adopt an appropriate assessment, in
13 consultation with and with the approval of,
14 the Secretary of the Interior and consistent
15 with assessments adopted by other schools
16 in the same State or region, that meets the
17 requirements of this section.

18 “(iii) Each such school that is accred-
19 ited by a tribal accrediting agency or tribal
20 division of education shall use an assess-
21 ment developed by such agency or division,
22 except that the Secretary of the Interior
23 shall ensure that such assessment meets
24 the requirements of this section.

1 “(H) ASSURANCE.—Each State plan shall
2 include an assurance that the State educational
3 agency will take steps to ensure that the State
4 assessment system, which includes all statewide
5 assessments and local assessments is coordi-
6 nated and streamlined to eliminate duplication
7 of assessment purposes, practices, and use.

8 “(I) ACCOMMODATIONS.—Each State plan
9 shall—

10 “(i) describe the accommodations for
11 English learners and students with disabil-
12 ities on the assessments used by the State
13 which may include accommodations such
14 as text-to-speech technology or read aloud,
15 braille, large print, calculator, speech-to-
16 text technology or scribe, extended time,
17 and frequent breaks;

18 “(ii) include evidence of the effective-
19 ness of such accommodations in maintain-
20 ing valid results for the appropriate popu-
21 lation; and

22 “(iii) include evidence that such ac-
23 commodations do not change the construct
24 intended to be measured by the assessment
25 or the meaning of the resulting scores.

1 “(J) ADAPTIVE ASSESSMENTS.—In the
2 case of a State educational agency that develops
3 and administers computer adaptive assess-
4 ments, such assessments shall meet the require-
5 ments of this paragraph, and must measure, at
6 a minimum, each student’s academic proficiency
7 against the State’s content standards as de-
8 scribed in paragraph (2) for the grade in which
9 the student is enrolled.

10 “(4) COLLEGE AND CAREER READY ACHIEVE-
11 MENT AND GROWTH STANDARDS.—

12 “(A) IN GENERAL.—Each State plan shall
13 demonstrate that the State will adopt and im-
14 plement college and career ready achievement
15 standards in English language arts, math, and
16 science by the 2015–2016 school year that com-
17 ply with this paragraph.

18 “(B) ELEMENTS.—Such academic achieve-
19 ment standards shall establish at a minimum, 3
20 levels of student achievement that describe how
21 well a student is demonstrating proficiency in
22 the State’s academic content standards that dif-
23 ferentiate levels of performance to—

24 “(i) describe 2 levels of high achieve-
25 ment (on-target and advanced) that indi-

1 cate, at a minimum, that a student is pro-
2 ficient in the academic content standards
3 under paragraph (2) as measured by the
4 performance on assessments under para-
5 graph (3); and

6 “ (ii) describe a third level of achieve-
7 ment (catch-up) that provides information
8 about the progress of a student toward be-
9 coming proficient in the academic content
10 standards under paragraph (2) as meas-
11 ured by the performance on assessments
12 under paragraph (3).

13 “(C) VERTICAL ALIGNMENT.—Such
14 achievement standards are vertically aligned to
15 ensure a student who achieves at the on-target
16 or advanced levels under subparagraph (B)(i)
17 signifies that student is on-track to graduate
18 prepared for—

19 “(i) placement in credit-bearing, non-
20 remedial courses at the 2- and 4-year pub-
21 lic institutions of higher education in the
22 State; and

23 “(ii) success on relevant State career
24 and technical education standards.

1 “(D) ALTERNATE ACHIEVEMENT STAND-
2 ARDS.—If a State educational agency adopts al-
3 ternate achievement standards for students with
4 the most significant cognitive disabilities, such
5 academic achievement standards shall establish,
6 at a minimum, 3 levels of student achievement
7 that describe how well a student is dem-
8 onstrating proficiency in the State’s academic
9 content standards that—

10 “(i) are aligned to the State’s college
11 and career ready content standards under
12 paragraph (2);

13 “(ii) are vertically aligned to ensure
14 that a student who achieves at the on-tar-
15 get or advanced level under clause (v)(I)
16 signifies that the student is on-track to ac-
17 cess a postsecondary education or competi-
18 tive integrated employment;

19 “(ii) reflect concepts and skills that
20 students should know and understand for
21 each grade;

22 “(iv) are supported by evidence-based
23 learning progressions to age and grade-
24 level performance; and

25 “(v) establish, at a minimum—

1 “(I) 2 levels of high achievement
2 (on-target and advanced) that indi-
3 cate, at a minimum, that a student
4 with the most significant cognitive
5 disabilities is proficient in the aca-
6 demic content standards under para-
7 graph (2) as measured by the per-
8 formance on assessments under para-
9 graph (3)(E); and

10 “(II) a third level of achievement
11 (catch-up) that provides information
12 about the progress of a student with
13 the most significant cognitive disabil-
14 ities toward becoming proficient in the
15 academic content standards under
16 paragraph (2) as measured by the
17 performance on assessments under
18 paragraph (3)(E).

19 “(E) STUDENT GROWTH STANDARDS.—
20 Each State plan shall demonstrate that the
21 State will adopt and implement student growth
22 standards for students in the assessed grades
23 that comply with this subparagraph, as follows:

24 “(i) ON-TARGET AND ADVANCED LEV-
25 ELS.—For a student who is achieving at

1 the on-target or advanced level of achieve-
2 ment, the student growth standard is not
3 less than the rate of academic growth nec-
4 essary for the student to remain at that
5 level of student achievement for not less
6 than 3 years.

7 “(ii) CATCH-UP LEVEL.—For a stu-
8 dent who is achieving at the catch-up level
9 of achievement, the student growth stand-
10 ard is not less than the rate of academic
11 growth necessary for the student to achieve
12 an on-target level of achievement within 3
13 or 4 years, as determined by the State.

14 “(F) PROHIBITION.—A State may not es-
15 tablish alternate or modified achievement stand-
16 ards for any subgroup of students, except as
17 provided under subparagraph (D).

18 “(5) RULE OF CONSTRUCTION.—Nothing in
19 paragraph (3) shall be construed to prescribe the
20 use of the academic assessments established pursu-
21 ant to such paragraph for student promotion or
22 graduation purposes.

23 “(c) ACCOUNTABILITY AND SCHOOL IMPROVEMENT
24 SYSTEM.—The State plan shall demonstrate that not later
25 than the 2016 – 2017 school year, the State educational

1 agency, in consultation with representatives of local edu-
2 cational agencies, teachers, school leaders, parents, com-
3 munity organizations, communities representing under-
4 served populations and Indian tribes, has developed a sin-
5 gle statewide accountability and school improvement sys-
6 tem (in this subsection known as the ‘accountability sys-
7 tem’) that ensures all students have the knowledge and
8 skills to successfully enter the workforce or postsecondary
9 education without the need for remediation by complying
10 with this subsection as follows:

11 “(1) ELEMENTS.—Each State accountability
12 system shall, at a minimum—

13 “(A) annually measure academic achieve-
14 ment for all students, including each subgroup
15 described in paragraph (3)(A), in each public
16 school, including each charter school, in the
17 State, including—

18 “(i) student academic achievement in
19 accordance with the academic achievement
20 standards described in subsection (b)(4);

21 “(ii) student growth in accordance
22 with the student growth standards de-
23 scribed in subsection (b)(4)(E); and

24 “(iii) graduation rates in diploma
25 granting schools;

1 “(B) set clear performance and growth
2 targets in accordance with paragraph (2) to im-
3 prove the academic achievement of all students
4 as measured under subparagraph (A) of this
5 paragraph and to close achievement gaps so
6 that all students graduate ready for postsec-
7 ondary education and the workforce;

8 “(C) establish equity indicators to diagnose
9 school challenges and measure school progress
10 within the improvement system described in
11 section 1116, including factors to measure, for
12 all students and each subgroup described in
13 paragraph (3)(A)—

14 “(i) academic learning, such as—

15 “(I) percentage of students suc-
16 cessfully completing rigorous
17 coursework that aligns with college
18 and career ready standards described
19 under subsection (b)(2) such as dual
20 enrollment, Advanced Placement (AP)
21 or International Baccalaureate (IB)
22 courses;

23 “(II) percentage of students en-
24 rolled in arts courses;

1 “(III) student success on State
2 or local educational agency end-of
3 course examinations; and

4 “(IV) student success on per-
5 formance-based assessments that are
6 valid, reliable and comparable across a
7 local educational agency and meet the
8 requirements of paragraph (3)(B);

9 “(ii) student engagement, such as—

10 “(I) student attendance rates;

11 “(II) student discipline data, in-
12 cluding suspension and expulsion
13 rates;

14 “(III) incidents of bullying and
15 harassment; and

16 “(IV) surveys of student engage-
17 ment and satisfaction;

18 “(iii) student advancement, such as—

19 “(I) student on-time promotion
20 rates;

21 “(II) on-time credit accumulation
22 rates;

23 “(III) course failure rates; and

24 “(IV) post-secondary and work-
25 force entry rates;

1 “(iv) student health and wellness;

2 “(v) student access to instructional
3 quality, such as—

4 “(I) number of qualified teachers
5 and paraprofessionals;

6 “(II) number of specialized in-
7 structional support personnel;

8 “(III) instructional personnel at-
9 tendance, vacancies, and turnover;
10 and

11 “(IV) rates of effective teachers
12 and principals, as determined by the
13 State or local educational agency;

14 “(vi) school climate and conditions for
15 student success, such as—

16 “(I) the availability of up-to-date
17 instructional materials, technology,
18 and supplies;

19 “(II) measures of school safety;
20 and

21 “(III) the condition of school fa-
22 cilities; including accounting for well-
23 equipped instructional spaces; and

24 “(vii) family and community engage-
25 ment in education;

1 “(D) annually differentiate performance
2 and condition of schools based on—

3 “(i) the achievement measured under
4 subparagraph (A);

5 “(ii) whether the school meets the
6 performance and growth targets set under
7 paragraph (2); and

8 “(iii) to a lesser extent, data on the
9 State-established equity indicators, as de-
10 scribed in subparagraph (C); and

11 “(E) identify using the differentiation de-
12 scribed in subparagraph (D), for the purposes
13 under section 1116—

14 “(i) high priority schools that—

15 “(I) according to the State-estab-
16 lished parameters described in
17 1116(a)(2), have the lowest perform-
18 ance in the local educational agency
19 and the State using current and prior
20 year academic achievement, growth,
21 and graduation rate data as described
22 in subparagraph (A) and data on the
23 state-established equity indicators de-
24 scribed in subparagraph (C); or

1 “(II) as of the date of enactment
2 of the Student Success Act, have been
3 identified under 1003(g); and

4 “(ii) schools in need of support that
5 have not met one or more of the perform-
6 ance targets set under paragraph (2) for
7 any subgroup described in paragraph
8 (3)(A) in the same grade level and subject,
9 for two consecutive years; and

10 “(iii) reward schools that have—

11 “(I) the highest performance in
12 the State for all students and student
13 subgroups described in paragraph
14 (3)(A); or

15 “(II) made the most progress
16 over at least the most recent 2-year
17 period in the State in increasing stu-
18 dent academic achievement and grad-
19 uation rates for all students and stu-
20 dent subgroups described in para-
21 graph (3)(A); and

22 “(III) made significant progress
23 in overcoming school challenges identi-
24 fied using the State-established equity

1 indicators, as described in subpara-
2 graph (C).

3 “(2) GOALS AND TARGETS.—

4 “(A) IN GENERAL.—Each State edu-
5 cational agency shall establish goals and targets
6 for the State accountability and school improve-
7 ment system that comply with this paragraph.
8 Such targets shall be established separately for
9 all elementary school and secondary school stu-
10 dents, economically disadvantaged students,
11 students from major racial and ethnic groups,
12 students with disabilities, and English learners
13 and expect accelerated academic gains from
14 subgroups who are the farthest away from col-
15 lege and career-readiness as determined by an-
16 nual academic achievement measures described
17 in paragraph (1)(A).

18 “(B) ACHIEVEMENT GOALS.—Each State
19 educational agency shall set multi-year goals
20 that are consistent with the academic and
21 growth achievement standards under subsection
22 (b)(4) to ensure that all students graduate pre-
23 pared to enter the workforce or postsecondary
24 education without the need for remediation.

1 “(C) PERFORMANCE TARGETS.—Each
2 State educational agency shall set ambitious,
3 but achievable annual performance targets sep-
4 arately for each subgroup of students described
5 in paragraph (3)(A), for local educational agen-
6 cies and schools, for each grade level and in
7 English language arts and math that reflect the
8 progress required for all students and each sub-
9 group of students described in paragraph
10 (3)(A) to meet the State-determined goals as
11 required under subparagraph (B), as approved
12 by the Secretary.

13 “(D) GROWTH TARGETS.—Each State edu-
14 cational agency shall set ambitious but achiev-
15 able growth targets that—

16 “(i) assist the State in achieving the
17 academic achievement goals described in
18 subparagraph (B); and

19 “(ii) include targets that ensure all
20 students, including subgroups of students
21 described in paragraph (3)(A), meet the
22 growth standards described in subsection
23 (b)(4)(E).

24 “(E) GRADUATION RATE GOALS AND TAR-
25 GETS.—

1 “(i) GRADUATION RATE GOALS.—
2 Each State educational agency shall set a
3 graduation rate goal of not less than 90
4 percent.

5 “(ii) GRADUATION RATE TARGETS.—
6 Each State educational agency shall estab-
7 lish graduation rate targets which shall not
8 be less rigorous than the targets approved
9 under section 200.19 of title 34, Code of
10 Federal Regulations (or a successor regula-
11 tion).

12 “(iii) EXTENDED-YEAR GRADUATION
13 RATE TARGETS.—In the case of a State
14 that chooses to use an extended year grad-
15 uation rate in the accountability and school
16 improvement system described under this
17 subsection, the State shall set extended
18 year graduation rate targets that are more
19 rigorous than the targets set under clause
20 (ii) and, if applicable, are not less rigorous
21 than the targets approved under section
22 200.19 of title 34, Code of Federal Regula-
23 tions (or a successor regulation).

24 “(3) FAIR ACCOUNTABILITY.—Each State edu-
25 cational agency shall establish fair and appropriate

1 policies and practices, as a component of the ac-
2 countability system established under this sub-
3 section, to measure school, local educational agency,
4 and State performance under the accountability sys-
5 tem that, at a minimum, comply with this paragraph
6 as follows:

7 “(A) DISAGGREGATE.—Each State edu-
8 cational agency shall disaggregate student
9 achievement data in a manner that complies
10 with the State’s group size requirements under
11 subparagraph (B) for the school’s, local edu-
12 cational agency’s, and the State’s performance
13 on its goals and performance targets established
14 under paragraph (2), by each content area and
15 each grade level for which such goals and tar-
16 gets are established, and, if applicable, by im-
17 provement indicators described in paragraph
18 (1)(D) for each of the following groups:

19 “(i) All public elementary and sec-
20 ondary school students.

21 “(ii) Economically disadvantaged stu-
22 dents.

23 “(iii) Students from major racial and
24 ethnic groups.

25 “(iv) Students with disabilities.

1 “(v) English learners.

2 “(B) SUBGROUP SIZE.—Each State edu-
3 cational agency shall establish group size re-
4 quirements for performance measurement and
5 reporting under the accountability system
6 that—

7 “(i) is the same for all subgroups de-
8 scribed in subparagraph (A);

9 “(ii) does not exceed 15 students;

10 “(iii) yields statistically reliable infor-
11 mation; and

12 “(iv) does not reveal personally identi-
13 fiable information about an individual stu-
14 dent.

15 “(C) PARTICIPATION.—Each State edu-
16 cational agency shall ensure that—

17 “(i) not less than 95 percent of the
18 students in each subgroup described sub-
19 paragraph (A) take the State’s assess-
20 ments under subsection (b)(2); and

21 “(ii) any school or local educational
22 agency that does not comply with the re-
23 quirement described in clause (i) of this
24 subparagraph may not be considered to

1 have met its goals or performance targets
2 under paragraph (2).

3 “(D) AVERAGING.—Each State educational
4 agency may average achievement data with the
5 year immediately preceding that school year for
6 the purpose of determining whether schools,
7 local educational agencies, and the State have
8 met their performance targets under paragraph
9 (2).

10 “(E) STUDENTS WITH THE MOST SIGNIFI-
11 CANT COGNITIVE DISABILITIES.—

12 “(i) IN GENERAL.—In calculating the
13 percentage of students scoring at the on-
14 target levels of achievement and the grad-
15 uation rate for the purpose of determining
16 whether schools, local educational agencies,
17 and the State have met their performance
18 targets under paragraph (2), a State shall
19 include all students with disabilities, even
20 those students with the most significant
21 cognitive disabilities, and—

22 “(I) may include the on-target
23 and advanced scores of students with
24 the most significant cognitive disabili-
25 ties taking alternate assessments

1 under subsection (b)(3)(E) provided
2 that the number and percentage of
3 such students who score at the on-tar-
4 get or advanced level on such alter-
5 nate assessments at the local edu-
6 cational agency and the State levels,
7 respectively, does not exceed the cap
8 established by the Secretary under
9 clause (iii) in the grades assessed and
10 subjects used under the accountability
11 system established under this sub-
12 section; and

13 “(II) may include students with
14 the most significant cognitive disabil-
15 ities, who are assessed using alternate
16 assessments described in subsection
17 (b)(3)(E) and who receive a State-de-
18 fined standards-based alternate di-
19 ploma aligned with alternate achieve-
20 ment standards described in subpara-
21 graph (4)(D) and with completion of
22 the student’s right to a free and ap-
23 propriate public education under the
24 Individuals with Disabilities Edu-
25 cation Act, as graduating with a reg-

1 ular secondary school diploma, pro-
2 vided that the number and percentage
3 of those students who receive a State-
4 defined standards-based alternate di-
5 ploma at the local educational agency
6 and the State levels, respectively, does
7 not exceed the cap established by the
8 Secretary under clause (iii).

9 “(ii) STATE REQUIREMENTS.—If the
10 number and percentage of students taking
11 alternate assessments or receiving a State-
12 defined standards-based alternate diploma
13 exceeds the cap under clause (iii) at the
14 local educational agency or State level, the
15 State educational agency, in determining
16 whether the local educational agency or
17 State, respectively, has met its perform-
18 ance targets under paragraph (2), shall—

19 “(I) include all students with the
20 most significant cognitive disabilities;

21 “(II) count at the catch-up level
22 of achievement or as not graduating
23 such students who exceed the cap;

24 “(III) include such students at
25 the catch-up level of achievement or

1 as not graduating in each applicable
2 subgroup at the school, local edu-
3 cational agency, and State level; and

4 “(IV) ensure that parents are in-
5 formed of the actual academic
6 achievement levels and graduation sta-
7 tus of their children with the most
8 significant cognitive disabilities.

9 “(iii) SECRETARIAL DUTIES.—The
10 Secretary shall establish a cap for the pur-
11 poses of this subparagraph which—

12 “(I) shall be based on the most
13 recently available data on—

14 “(aa) the incidence of stu-
15 dents with the most significant
16 cognitive disabilities;

17 “(bb) the participation
18 rates, including by disability cat-
19 egory, on alternate assessments
20 using alternate achievement
21 standards pursuant to subsection
22 (b)(3)(E);

23 “(cc) the percentage of stu-
24 dents, including by disability cat-
25 egory, scoring at each achieve-

1 school year, administer high-quality assess-
2 ments described in subsection (b)(3);

3 “(ii) report student performance on
4 the assessments described in subparagraph
5 (I), consistent with the requirements under
6 this title;

7 “(iii) set a new baseline for perform-
8 ance targets, as described in paragraph
9 (2)(C) and (2)(D), once new high-quality
10 assessments described in subsection (b)(3)
11 are implemented;

12 “(iv) implement the accountability
13 and school improvement requirements of
14 sections 1111 and 1116, except—

15 “(I) the State shall not be re-
16 quired to identify new persistently low
17 achieving schools or schools in need of
18 improvement under section 1116 for 1
19 year after high-quality assessments
20 described in subsection (b)(3) have
21 been implemented; and

22 “(II) shall continue to implement
23 school improvement requirements of
24 section 1116 in persistently low
25 achieving schools and schools in need

1 of improvement that were identified as
2 such in the year prior to implementa-
3 tion of new high-quality assessments;
4 and

5 “(v) assist local educational agencies
6 in providing training and professional de-
7 velopment on the implementation of new
8 college and career ready standards and
9 high-quality assessments.

10 “(C) END OF TRANSITION.—The transition
11 described in this paragraph shall be completed
12 by no later than 2 years from the date of enact-
13 ment of the Student Success Act.

14 “(d) OTHER PROVISIONS TO SUPPORT TEACHING
15 AND LEARNING.—Each State plan shall contain the fol-
16 lowing:

17 “(1) DESCRIPTIONS.—A description of—

18 “(A) how the State educational agency will
19 carry out the responsibilities of the State under
20 section 1116;

21 “(B) a plan to identify and reduce inequi-
22 ties in the allocation of State and local re-
23 sources, including personnel and nonpersonnel
24 resources, between schools that are receiving
25 funds under this title and schools that are not

1 receiving such funds under this title, consistent
2 with the requirements in section 1120A, includ-
3 ing—

4 “(i) a description of how the State
5 will support local educational agencies in
6 meeting the requirements of section
7 1120A; and

8 “(ii) a description of how the State
9 will support local educational agencies to
10 align plans under subparagraph (A), ef-
11 forts to improve educator supports and
12 working conditions described in section
13 2112(b)(3), and efforts to improve the eq-
14 uitable distribution of teachers and prin-
15 cipals described in section 2112(b)(5), with
16 efforts to improve the equitable allocation
17 of resources as described in this sub-
18 section;

19 “(C) how the State educational agency will
20 ensure that the results of the State assessments
21 described in subsection (b)(3) and the school
22 identifications described in subsection (c)(1), re-
23 spectively, will be provided to local educational
24 agencies, schools, teachers, and parents prompt-
25 ly, but not later than before the beginning of

1 the school year following the school year in
2 which such assessments, other indicators, or
3 evaluations are taken or completed, and in a
4 manner that is clear and easy to understand;

5 “(D) how the State educational agency will
6 meet the diverse learning needs of students
7 by—

8 “(i) identifying and addressing State-
9 level barriers to implementation of uni-
10 versal design for learning, as described in
11 section 5429(b)(21), and multi-tier system
12 of supports; and

13 “(ii) developing and making available
14 to local educational agencies technical as-
15 sistance for implementing universal design
16 for learning, as described in section
17 5429(b)(21), and multi-tier system of sup-
18 ports;

19 “(E) for a State educational agency that
20 adopts alternate achievement standards for stu-
21 dents with the most significant cognitive dis-
22 abilities under subsection (b)(4)(D)—

23 “(i) the clear and appropriate guide-
24 lines for individualized education program
25 teams to apply in determining when a stu-

1 dent’s significant cognitive disability justi-
2 fies alternate assessment based on alter-
3 nate achievement standards, which shall
4 include guidelines to ensure—

5 “**(I)** students with the most sig-
6 nificant cognitive disabilities have ac-
7 cess to the general education cur-
8 riculum for the grade in which the
9 student is enrolled;

10 “**(II)** participation in an alternate
11 assessment does not influence a stu-
12 dent’s placement in the least restric-
13 tive environment;

14 “**(III)** determinations are made
15 separately for each subject and are re-
16 determined each year during the an-
17 nual individualized education program
18 team meeting;

19 “**(IV)** the student’s mode of com-
20 munication has been identified and
21 accommodated to the extent possible;
22 and

23 “**(V)** parents of such students
24 give informed consent that—

1 “(aa) their child’s achieve-
2 ment be based on alternate
3 achievement standards; and

4 “(bb) if applicable, that par-
5 ticipation in such assessments
6 precludes the student from com-
7 pleting the requirements for a
8 regular secondary school diploma;
9 and

10 “(ii) the procedures the State edu-
11 cational agency will use to ensure and
12 monitor that individualized education pro-
13 gram teams implement the requirements of
14 clause (i); and

15 “(iii) the plan to disseminate informa-
16 tion on and promote use of appropriate ac-
17 commodations to increase the number of
18 students with the most significant cog-
19 nitive disabilities who are assessed using
20 achievement standards described in sub-
21 paragraphs (B) and (C) of subsection
22 (b)(4);

23 “(F) how the State educational agency will
24 meet the needs of English learners, including—

1 “(i) the method for identifying an
2 English learner that shall be used by all
3 local educational agencies in the State;

4 “(ii) the entrance and exit require-
5 ments for students enrolled in limited
6 English proficient classes, which shall—

7 “(I) be based on rigorous English
8 language standards; and

9 “(II) prepare such students to
10 successfully complete the State’s as-
11 sessments; and

12 “(iii) timelines and targets for moving
13 students from the lowest levels of English
14 language proficiency to the State-defined
15 English proficient level, including an assur-
16 ance that—

17 “(I) such targets will be based on
18 student’s initial language proficiency
19 level when first identified as limited
20 English proficient and grade; and

21 “(II) such timelines will ensure
22 students achieve English proficiency
23 by 18 years of age, unless the State
24 has obtained prior approval by the
25 Secretary;

1 “(G) how the State educational agency will
2 assist local educational agencies in improving
3 instruction in all core academic subjects;

4 “(H) how the State educational agency will
5 develop and improve the capacity of local edu-
6 cational agencies to use technology to improve
7 instruction; and

8 “(I) how any State educational agency
9 with a charter school law will support high-
10 quality public charter schools that receive funds
11 under this title by—

12 “(i) ensuring the quality of the au-
13 thorized public chartering agencies in the
14 State by establishing—

15 “(I) a system of periodic evalua-
16 tion and certification of public char-
17 tering agencies using nationally-recog-
18 nized professional standards; or

19 “(II) a statewide, independent
20 chartering agency that meets nation-
21 ally-recognized professional standards;

22 “(ii) including in the procedure estab-
23 lished pursuant to clause (i) requirements
24 for—

1 “(I) the annual filing and public
2 reporting of independently audited fi-
3 nancial statements including disclo-
4 sure of amount and duration of any
5 nonpublic financial and in-kind con-
6 tributions of support, by each public
7 chartering agency, for each school au-
8 thorized by such agency, and by each
9 local educational agency and the
10 State;

11 “(II) the adoption and enforce-
12 ment of school employee compensation
13 and conflict of interest guidelines for
14 all schools authorized, which shall in-
15 clude disclosure of executive pay and
16 affiliated parties with financial inter-
17 est in the management operations, or
18 contractual obligations of the school;

19 “(III) a legally binding charter or
20 performance contract between each
21 charter school and the school’s au-
22 thorized public chartering agency
23 that—

24 “(aa) describes the rights,
25 duties, and remedies of the

1 school and the public chartering
2 agency; and

3 “(bb) bases charter renewal
4 and revocation decisions on an
5 agreed-to school accountability
6 plan which includes financial and
7 organizational indicators, with
8 significant weight given to the
9 student achievement on the
10 achievement goals, performance
11 targets, and growth targets es-
12 tablished pursuant to subpara-
13 graphs (B), (C), and (D) of sub-
14 section (c)(2), respectively, for
15 each student subgroup described
16 in subsection (c)(3)(A), as well as

17 “(iii) developing and implementing, in
18 consultation and coordination with local
19 educational agencies, a system of interven-
20 tion, revocation, or closure for charter
21 schools and public chartering agencies fail-
22 ing to meet the requirements and stand-
23 ards described in clauses (i) and (ii),
24 which, at a minimum provides for—

1 “(I) initial and regular review, no
2 less than once every 3 years, of each
3 public chartering agency; and

4 “(II) intervention, revocation, or
5 closure of any charter school identi-
6 fied for school improvement under
7 section 1116.

8 “(2) ASSURANCES.—Assurances that—

9 “(A) the State educational agency will par-
10 ticipate in biennial State academic assessments
11 of 4th, 8th, and 12th grade reading, mathe-
12 matics, and science under the National Assess-
13 ment of Educational Progress carried out under
14 section 303(b)(2) of the National Assessment of
15 Educational Progress Authorization Act, if the
16 Secretary pays the costs of administering such
17 assessments;

18 “(B) the State educational agency will—

19 “(i) notify local educational agencies
20 and the public of the content and student
21 academic achievement standards and aca-
22 demic assessments developed under this
23 section, and of the authority to operate
24 schoolwide programs; and

1 “(ii) fulfill the State educational agen-
2 cy’s responsibilities regarding local edu-
3 cational agency and school improvement
4 under section 1116;

5 “(C) the State educational agency will en-
6 courage local educational agencies to consoli-
7 date funds from other Federal, State, and local
8 sources for school improvement activities under
9 1116 and for schoolwide programs under sec-
10 tion 1114;

11 “(D) the State educational agency has
12 modified or eliminated State fiscal and account-
13 ing barriers so that schools can easily consoli-
14 date funds from other Federal, State, and local
15 sources for schoolwide programs under section
16 1114;

17 “(E) that State educational agency will co-
18 ordinate data collection efforts to fulfill the re-
19 quirements of this Act and reduce the duplica-
20 tion of data collection to the extent practicable;

21 “(F) the State educational agency will pro-
22 vide the least restrictive and burdensome regu-
23 lations for local educational agencies and indi-
24 vidual schools participating in a program as-
25 sisted under this part;

1 “(G) the State educational agency will in-
2 form local educational agencies in the State of
3 the local educational agency’s authority—

4 “(i) to transfer funds under title VI;

5 “(ii) to obtain waivers under part D
6 of title IX; and

7 “(iii) if the State is an Ed-Flex Part-
8 nership State, to obtain waivers under the
9 Education Flexibility Partnership Act of
10 1999;

11 “(H) the State educational agency will
12 work with other agencies, including educational
13 service agencies or other local consortia and
14 comprehensive centers established under the
15 Educational Technical Assistance Act of 2002,
16 and institutions to provide professional develop-
17 ment and technical assistance to local edu-
18 cational agencies and schools;

19 “(I) the State educational agency will en-
20 sure that local educational agencies in the State
21 comply with the requirements of subtitle B of
22 title VII of the McKinney-Vento Homeless As-
23 sistance Act (42 U.S.C. 1117); and

24 “(J) the State educational agency has en-
25 gaged in timely and meaningful consultation

1 with representatives of Indian tribes located in
2 the State in the development of the State plan
3 to serve local educational agencies under its ju-
4 risdiction in order to—

5 “(i) improve the coordination of ac-
6 tivities under this Act;

7 “(ii) meet the purpose of this title;
8 and

9 “(iii) meet the unique cultural, lan-
10 guage, and educational needs of Indian
11 students.

12 “(e) FAMILY ENGAGEMENT.—Each State plan shall
13 include a plan for strengthening family engagement in
14 education. Each such plan shall, at a minimum, include—

15 “(1) a description of the State’s criteria and
16 schedule for review and approval of local educational
17 agency engagement policies and practices pursuant
18 to section 1112(e)(3);

19 “(2) a description of the State’s system and
20 process for assessing local educational agency imple-
21 mentation of section 1118 responsibilities;

22 “(3) a description of the State’s criteria for
23 identifying local educational agencies that would
24 benefit from training and support related to family
25 engagement in education;

1 “(4) a description of the State’s statewide sys-
2 tem of capacity-building and technical assistance for
3 local educational agencies and schools on effectively
4 implementing family engagement in education prac-
5 tices and policies to increase student achievement;

6 “(5) an assurance that the State will refer to
7 Statewide Family Engagement Centers, as described
8 in section 5702, those local educational agencies that
9 would benefit from training and support related to
10 family engagement in education; and

11 “(6) a description of the relationship between
12 the State educational agency and Statewide Family
13 Engagement Centers, parent training and informa-
14 tion centers, and community parent resource centers
15 in the State established under sections 671 and 672
16 of the Individuals with Disabilities Education Act.

17 “(f) PEER REVIEW AND SECRETARIAL APPROVAL.—

18 “(1) SECRETARIAL DUTIES.—The Secretary
19 shall—

20 “(A) establish a peer-review process to as-
21 sist in the review of State plans;

22 “(B) appoint individuals to the peer-review
23 process who are representative of parents,
24 teachers, State educational agencies, local edu-
25 cational agencies, and experts and who are fa-

1 miliar with educational standards, assessments,
2 accountability, the needs of low-performing
3 schools, and other educational needs of stu-
4 dents;

5 “(C) approve a State plan within 120 days
6 of its submission unless the Secretary deter-
7 mines that the plan does not meet the require-
8 ments of this section;

9 “(D) if the Secretary determines that the
10 State plan does not meet the requirements of
11 this section immediately notify the State of
12 such determination and the reasons for such de-
13 termination;

14 “(E) not decline to approve a State’s plan
15 before—

16 “(i) offering the State an opportunity
17 to revise its plan;

18 “(ii) providing technical assistance in
19 order to assist the State to meet the re-
20 quirements of this section; and

21 “(iii) providing a hearing; and

22 “(F) have the authority to disapprove a
23 State plan for not meeting the requirements of
24 this part, but shall not have the authority to re-
25 quire a State, as a condition of approval of the

1 State plan, to include in, or delete from, such
2 plan one or more specific elements of the
3 State’s academic content standards or to use
4 specific academic assessment instruments or
5 items.

6 “(2) STATE REVISIONS.—A State plan shall be
7 revised by the State educational agency if the revi-
8 sion is necessary to satisfy the requirements of this
9 section.

10 “(3) PUBLIC REVIEW.—Notifications under this
11 subsection shall be made available to the public
12 through the website of the Department, including—

13 “(A) State plans submitted or resubmitted
14 by a State;

15 “(B) peer review comments;

16 “(C) State plan determinations by the Sec-
17 retary, including approvals or disapprovals;

18 “(D) amendments or changes to State
19 plans; and

20 “(E) hearings.

21 “(g) DURATION OF THE PLAN.—

22 “(1) IN GENERAL.—Each State plan shall—

23 “(A) remain in effect for the duration of
24 the State’s participation under this part or 4
25 years, whichever is shorter; and

1 “(B) be periodically reviewed and revised
2 as necessary by the State educational agency to
3 reflect changes in the State’s strategies and
4 programs under this part, including information
5 on the progress the State has made in fulfilling
6 the requirements of this section.

7 “(2) RENEWAL.—A State educational agency
8 that desires to continue participation under this part
9 shall submit a renewed plan every 4 years, including
10 information on progress the State has made in—

11 “(A) implementing college- and career-
12 ready content and achievement standards and
13 high-quality assessments described in paragraph
14 (b);

15 “(B) meeting its goals and performance
16 targets described in subsection (c)(2); and

17 “(C) improving the capacity and skills of
18 teachers and principals as described in section
19 2112.

20 “(2) ADDITIONAL INFORMATION.—If significant
21 changes are made to a State’s plan, such as the
22 adoption of new State academic content standards
23 and State student achievement standards, new aca-
24 demic assessments, or new performance goals or tar-
25 get, growth goals or targets, or graduation rate

1 goals or targets, such information shall be submitted
2 to the Secretary for approval.

3 “(h) FAILURE TO MEET REQUIREMENTS.—If a State
4 fails to meet any of the requirements of this section, the
5 Secretary may withhold funds for State administration
6 under this part until the Secretary determines that the
7 State has fulfilled those requirements.

8 “(i) REPORTS.—

9 “(1) ANNUAL STATE REPORT CARD.—

10 “(A) IN GENERAL.—A State that receives
11 assistance under this part shall prepare and
12 disseminate an annual State report card. Such
13 dissemination shall include, at a minimum, pub-
14 licly posting the report card on the home page
15 of the State educational agency’s website.

16 “(B) IMPLEMENTATION.—The State report
17 card shall be—

18 “(i) concise; and

19 “(ii) presented in an understandable
20 and uniform format and, to the extent
21 practicable, provided in a language that
22 the parents can understand.

23 “(C) REQUIRED INFORMATION.—The
24 State shall include in its annual State report
25 card—

1 “(i) information, in the aggregate,
2 and disaggregated and cross-tabulated by
3 the same major groups as the decennial
4 census of the population, ethnicity, gender,
5 disability status, migrant status, English
6 proficiency, and status as economically dis-
7 advantaged, except that such
8 disaggregation and cross-tabulation shall
9 not be required in a case in which the
10 number of students in a category is insuffi-
11 cient to yield statistically reliable informa-
12 tion or the results would reveal personally
13 identifiable information about an individual
14 student on—

15 “(I) student achievement at each
16 achievement level on the State aca-
17 demic assessments described in sub-
18 section (b)(3), including the most re-
19 cent 2-year trend;

20 “(II) student growth on the State
21 academic assessments described in
22 subsection (b)(3), including the most-
23 recent 2-year trend;

24 “(III) the four-year adjusted co-
25 hort rate, the extended-year gradua-

1 tion rate (where applicable), and the
2 graduation rate by type of diploma,
3 including the most recent 2-year
4 trend;

5 “(IV) the State established eq-
6 uity indicators under subsection
7 (c)(1)(C);

8 “(V) the percentage of students
9 who did not take the State assess-
10 ments; and

11 “(VI) the most recent 2-year
12 trend in student achievement and stu-
13 dent growth in each subject area and
14 for each grade level, for which assess-
15 ments under this section are required;

16 “(ii) information that provides a com-
17 parison between the actual achievement
18 levels and growth of each group of stu-
19 dents described in subsection (c)(3)(A) and
20 the performance targets and growth tar-
21 gets in subsection (c)(2) for each such
22 group of students on each of the academic
23 assessments and for graduation rates re-
24 quired under this part;

1 “(iii) if a State adopts alternate
2 achievement standards for students with
3 the most significant cognitive disabilities,
4 the number and percentage of students
5 taking the alternate assessments and infor-
6 mation on student achievement at each
7 achievement level and student growth, by
8 grade and subject;

9 “(iv) the number of students who are
10 English learners, and the performance of
11 such students, on the State’s English lan-
12 guage proficiency assessments, including
13 the students’ attainment of, and progress
14 toward, higher levels of English language
15 proficiency;

16 “(v) information on the performance
17 of local educational agencies in the State
18 regarding school improvement, including
19 the number and names of each school iden-
20 tified for school improvement under section
21 1116 and information on the outcomes of
22 the equity indicators outlined in section
23 1111(c)(1)(C);

24 “(vi) the professional qualifications of
25 teachers in the State, the percentage of

1 such teachers teaching with emergency or
2 provisional credentials, and the percentage
3 of classes in the State not taught by quali-
4 fied teachers, in the aggregate and
5 disaggregated by high-poverty compared to
6 low-poverty schools which, for the purpose
7 of this clause, means schools in the top
8 quartile of poverty and the bottom quartile
9 of poverty in the State;

10 “(vii) information on teacher effective-
11 ness, as determined by the State, in the
12 aggregate and disaggregated by high-pov-
13 erty compared to low-poverty schools
14 which, for the purpose of this clause,
15 means schools in the top quartile of pov-
16 erty and the bottom quartile of poverty in
17 the State;

18 “(viii) a clear and concise description
19 of the State’s accountability system, in-
20 cluding a description of the criteria by
21 which the State educational agency evalu-
22 ates school performance, and the criteria
23 that the State educational agency has es-
24 tablished, consistent with subsection (c), to

1 determine the status of schools with re-
2 spect to school improvement; and

3 “(ix) outcomes related to quality char-
4 ter authorizing standards as described in
5 subsection (d)(1)(I), including, at a min-
6 imum, annual filing as described in sub-
7 section (d)(1)(I)(ii)(I).

8 “(2) ANNUAL LOCAL EDUCATIONAL AGENCY
9 REPORT CARDS.—

10 “(A) REPORT CARDS.—A local educational
11 agency that receives assistance under this part
12 shall prepare and disseminate an annual local
13 educational agency report card.

14 “(B) MINIMUM REQUIREMENTS.—The
15 State educational agency shall ensure that each
16 local educational agency collects appropriate
17 data and includes in the local educational agen-
18 cy’s annual report the information described in
19 paragraph (1)(C) as applied to the local edu-
20 cational agency and each school served by the
21 local educational agency, and—

22 “(i) in the case of a local educational
23 agency—

24 “(I) the number and percentage
25 of schools identified for school im-

1 provement under section 1116 and
2 how long the schools have been so
3 identified; and

4 “(II) information that shows how
5 students served by the local edu-
6 cational agency achieved on the state-
7 wide academic assessment compared
8 to students in the State as a whole;

9 “(III) per-pupil expenditures
10 from Federal, State, and local
11 sources, including personnel and non-
12 personnel resources, for each school in
13 the local educational agency, con-
14 sistent with the requirements under
15 section 1120A;

16 “(IV) the number and percentage
17 of secondary school students who have
18 been removed from the 4-year ad-
19 justed cohort by leaver code, and the
20 number and percentage of students
21 from each adjusted cohort that have
22 been enrolled in high school for more
23 than 4 years but have not graduated
24 with a regular diploma; and

1 “(V) information on the number
2 of military-connected students (stu-
3 dents who are a dependent of a mem-
4 ber of the Armed Forces, including re-
5 serve components thereof) served by
6 the local educational agency and how
7 such military-dependent students
8 achieved on the statewide academic
9 assessment compared to all students
10 served by the local educational agency;
11 and

12 “(ii) in the case of a school—

13 “(I) whether the school has been
14 identified for school improvement; and

15 “(II) information that shows how
16 the school’s students achievement on
17 the statewide academic assessments
18 and other improvement indicators
19 compared to students in the local edu-
20 cational agency and the State as a
21 whole.

22 “(C) OTHER INFORMATION.—A local edu-
23 cational agency may include in its annual local
24 educational agency report card any other appro-
25 priate information, whether or not such infor-

1 mation is included in the annual State report
2 card.

3 “(D) DATA.—A local educational agency
4 or school shall only include in its annual local
5 educational agency report card data that are
6 sufficient to yield statistically reliable informa-
7 tion, as determined by the State, and that do
8 not reveal personally identifiable information
9 about an individual student.

10 “(E) PUBLIC DISSEMINATION.—The local
11 educational agency shall publicly disseminate
12 the report cards described in this paragraph to
13 all schools in the school district served by the
14 local educational agency and to all parents of
15 students attending those schools in an acces-
16 sible, understandable, and uniform format and,
17 to the extent practicable, provided in a lan-
18 guage that the parents can understand, and
19 make the information widely available through
20 public means, such as posting on the Internet,
21 distribution to the media, and distribution
22 through public agencies.

23 “(3) PREEXISTING REPORT CARDS.—A State
24 educational agency or local educational agency that
25 was providing public report cards on the perform-

1 ance of students, schools, local educational agencies,
2 or the State prior to the date of enactment of the
3 Student Success Act may use those report cards for
4 the purpose of this subsection, so long as any such
5 report card is modified, as may be needed, to con-
6 tain the information required by this subsection.

7 “(4) COST REDUCTION.—Each State edu-
8 cational agency and local educational agency receiv-
9 ing assistance under this part shall, wherever pos-
10 sible, take steps to reduce data collection costs and
11 duplication of effort by obtaining the information re-
12 quired under this subsection through existing data
13 collection efforts.

14 “(5) ANNUAL STATE REPORT TO THE SEC-
15 RETARY.—Each State educational agency receiving
16 assistance under this part shall report annually to
17 the Secretary, and make widely available within the
18 State—

19 “(A) information on the State’s progress in
20 developing and implementing

21 “(i) the college and career ready
22 standards described in subsection (b)(2);

23 “(ii) the academic assessments de-
24 scribed in subsection (b)(3); and

1 “(iii) the accountability and school im-
2 provement system described in subsection
3 (c); and

4 “(B) the annual State report card under
5 paragraph (1).

6 “(6) REPORT TO CONGRESS.—The Secretary
7 shall transmit annually to the Committee on Edu-
8 cation and the Workforce of the House of Rep-
9 resentatives and the Committee on Health, Edu-
10 cation, Labor, and Pensions of the Senate a report
11 that provides national and State-level data on the in-
12 formation collected under paragraph (5).

13 “(7) PARENTS RIGHT-TO-KNOW.—

14 “(A) ACHIEVEMENT INFORMATION.—At
15 the beginning of each school year, a school that
16 receives funds under this subpart shall provide
17 to each individual parent—

18 “(i) information on the level of
19 achievement and growth of the parent’s
20 child on each of the State academic assess-
21 ments and, as appropriate, other improve-
22 ment indicators adopted in accordance with
23 this subpart; and

24 “(ii) timely notice that the parent’s
25 child has been assigned, or has been

1 taught for four or more consecutive weeks
2 by, a teacher who is not qualified or has
3 been found to be ineffective, as determined
4 by the State or local educational agency.

5 “(B) QUALIFICATIONS.—At the beginning
6 of each school year, a local educational agency
7 that receives funds under this part shall notify
8 the parents of each student attending any
9 school receiving funds under this part, informa-
10 tion regarding the professional qualifications of
11 the student’s classroom teachers, including, at a
12 minimum, the following:

13 “(i) Whether the teacher has met
14 State qualification and licensing criteria
15 for the grade levels and subject areas in
16 which the teacher provides instruction.

17 “(ii) Whether the teacher is teaching
18 under emergency or other provisional sta-
19 tus through which State qualification or li-
20 censing criteria have been waived.

21 “(iii) Whether the teacher is currently
22 enrolled in an alternative certification pro-
23 gram.

24 “(iv) Whether the child is provided
25 services by paraprofessionals or specialized

1 instructional support personnel and, if so,
2 their qualifications.

3 “(C) **FORMAT.**—The notice and informa-
4 tion provided to parents under this paragraph
5 shall be in an understandable and uniform for-
6 mat and, to the extent practicable, provided in
7 a language that the parents can understand.

8 “(j) **PRIVACY.**—Information collected under this sec-
9 tion shall be collected and disseminated in a manner that
10 protects the privacy of individuals.

11 “(k) **TECHNICAL ASSISTANCE.**—The Secretary shall
12 provide a State educational agency, at the State edu-
13 cational agency’s request, technical assistance in meeting
14 the requirements of this section, including the provision
15 of advice by experts in the development of college and ca-
16 reer ready standards, high-quality academic assessments,
17 and goals and targets that are valid and reliable, and other
18 relevant areas.

19 “(l) **VOLUNTARY PARTNERSHIPS.**—A State may
20 enter into a voluntary partnership with another State to
21 develop and implement the academic assessments and
22 standards required under this section.

23 “(m) **DEFINITIONS.**—In this section:

1 “(1) ADJUSTED COHORT; EXTENDED-YEAR; EN-
2 TERING COHORT; TRANSFERRED INTO; TRANS-
3 FERRED OUT.—

4 “(A) ADJUSTED COHORT.—Subject to sub-
5 paragraph (D)(ii) through (G), the term ‘ad-
6 justed cohort’ means the difference of—

7 “(i) the sum of—

8 “(I) the entering cohort; plus

9 “(II) any students that trans-
10 ferred into the cohort in any of grades
11 9 through 12; minus

12 “(ii) any students that are removed
13 from the cohort as described in subpara-
14 graph (E).

15 “(B) EXTENDED YEAR.—The term ‘ex-
16 tended year’ when used with respect to a grad-
17 uation rate, means the fifth or sixth year after
18 the school year in which the entering cohort, as
19 described in subparagraph (C), is established
20 for the purpose of calculating the adjusted co-
21 hort.

22 “(C) ENTERING COHORT.—The term ‘en-
23 tering cohort’ means the number of first-time
24 9th graders enrolled in a secondary school 1

1 month after the start of the secondary school's
2 academic year.

3 “(D) TRANSFERRED INTO.—The term
4 ‘transferred into’ when used with respect to a
5 secondary school student, means a student
6 who—

7 “(i) was a first-time 9th grader dur-
8 ing the same school year as the entering
9 cohort; and

10 “(ii) enrolls after the entering cohort
11 is calculated as described in subparagraph
12 (B).

13 “(E) TRANSFERRED OUT.—

14 “(i) IN GENERAL.—The term ‘trans-
15 ferred out’ when used with respect to a
16 secondary school student, means a student
17 who the secondary school or local edu-
18 cational agency has confirmed has trans-
19 ferred to another—

20 “(I) school from which the stu-
21 dent is expected to receive a regular
22 secondary school diploma; or

23 “(II) educational program from
24 which the student is expected to re-

1 ceive a regular secondary school di-
2 ploma.

3 “(ii) CONFIRMATION REQUIRE-
4 MENTS.—

5 “(I) DOCUMENTATION RE-
6 QUIRED.—The confirmation of a stu-
7 dent’s transfer to another school or
8 educational program described in
9 clause (i) requires documentation
10 from the receiving school or program
11 that the student enrolled in the receiv-
12 ing school or program.

13 “(II) LACK OF CONFIRMATION.—
14 A student who was enrolled, but for
15 whom there is no confirmation of the
16 student having transferred out, shall
17 remain in the cohort as a non-grad-
18 uate for reporting and accountability
19 purposes under this section.

20 “(iii) PROGRAMS NOT PROVIDING
21 CREDIT.—A student enrolled in a GED or
22 other alternative educational program that
23 does not issue or provide credit toward the
24 issuance of a regular secondary school di-

1 ploma shall not be considered transferred
2 out.

3 “(F) COHORT REMOVAL.—To remove a
4 student from a cohort, a school or local edu-
5 cational agency shall require documentation to
6 confirm that the student has transferred out,
7 emigrated to another country, or is deceased.

8 “(G) TREATMENT OF OTHER LEAVERS
9 AND WITHDRAWALS.—A student who was re-
10 tained in a grade, enrolled in a GED program,
11 aged-out of a secondary school or secondary
12 school program, or left secondary school for any
13 other reason, including expulsion, shall not be
14 considered transferred out, and shall remain in
15 the adjusted cohort.

16 “(H) SPECIAL RULE.—For those sec-
17 ondary schools that start after grade 9, the en-
18 tering cohort shall be calculated 1 month after
19 the start of the secondary school’s academic
20 year in the earliest secondary school grade at
21 the secondary school.

22 “(2) 4-YEAR ADJUSTED COHORT GRADUATION
23 RATE.—The term ‘4-year adjusted cohort graduation
24 rate’ means the percent obtained by calculating the
25 product of—

1 “(A) the result of—
2 “(i) the number of students who—
3 “(I) formed the adjusted cohort 4
4 years earlier; and
5 “(II) graduate in 4 years or less
6 with a regular secondary school di-
7 ploma; divided by
8 “(ii) the number of students who
9 formed the adjusted cohort for that year’s
10 graduating class 4 years earlier; multiplied
11 by
12 “(B) 100.

13 “(3) EXTENDED-YEAR GRADUATION RATE.—
14 The term ‘extended-year graduation rate’ for a
15 school year is defined as the percent obtained by cal-
16 culating the product of the result of—

17 “(A) the sum of—
18 “(i) the number of students who—
19 “(I) form the adjusted cohort for
20 that year’s graduating class; and
21 “(II) graduate in an extended
22 year with a regular secondary school
23 diploma; or
24 “(III) graduate before exceeding
25 the age for eligibility for a free appro-

1 priate public education (as defined in
2 section 602 of the Individuals with
3 Disabilities Education Act) under
4 State law; divided by
5 “(ii) the result of—

6 “(I) the number of students who
7 form the adjusted cohort for that
8 year’s graduating class; plus

9 “(II) the number of students who
10 transferred in during the extended
11 year defined in paragraph (1)(B),
12 minus

13 “(III) students who transferred
14 out, emigrated, or died during the ex-
15 tended year defined in paragraph
16 (1)(B); multiplied by

17 “(B) 100.

18 “(4) LEAVER CODE.—The term ‘leaver code’
19 means a number or series of numbers and letters as-
20 signed to a categorical reason for why a student left
21 the high school from which she or he is enrolled
22 without having earned a regular high school di-
23 ploma, except that—

24 “(A) an individual student with either a
25 duplicative code or whom has not been assigned

1 a leaver code shall not be removed from the co-
2 hort assigned for the purpose of calculating the
3 adjusted cohort graduation rate; and

4 “(B) the number of students with either a
5 duplicative leaver code or who have not been as-
6 signed a leaver code shall be included in report-
7 ing requirements for the leaver code.

8 “(5) MULTI-TIER SYSTEM OF SUPPORTS.—The
9 term ‘multi-tier system of supports’ means a com-
10 prehensive system of differentiated supports that in-
11 cludes evidence-based instruction, universal screen-
12 ing, progress monitoring, formative assessment, and
13 research-based interventions matched to student
14 needs, and educational decision-making using stu-
15 dent outcome data.

16 “(6) GRADUATION RATE.—The term ‘gradua-
17 tion rate’ means a 4-year adjusted cohort graduation
18 rate and the extended-year graduation rate.

19 “(7) REGULAR SECONDARY SCHOOL DI-
20 PLOMA.—

21 “(A) The term ‘regular secondary school
22 diploma’ means standard secondary school di-
23 ploma awarded to the preponderance of stu-
24 dents in the State that is fully aligned with the
25 State’s college and career ready achievement

1 standards as described under subsection (b)(4),
2 or a higher diploma. Such term shall not in-
3 clude GED's, certificates of attendance, or any
4 lesser diploma awards.

5 “(B) If a State adopts different paths to
6 the regular secondary school diploma, such dif-
7 ferent paths shall—

8 “(i) be available to all students in the
9 State;

10 “(ii) be equally rigorous in their re-
11 quirements; and

12 “(iii) signify that a student is pre-
13 pared for college or a career without the
14 need for remediation.”.

Strike section 117 and insert the following:

15 **SEC. 117. ACADEMIC ASSESSMENT AND LOCAL EDU-**
16 **CATIONAL AGENCY AND SCHOOL IMPROVE-**
17 **MENT; SCHOOL SUPPORT AND RECOGNITION.**

18 Section 1116 (20 U.S.C. 6316) is amended to read
19 as follows:

20 **“SEC. 1116. SCHOOL IMPROVEMENT.**

21 “(a) LOCAL REVIEW.—

22 “(1) IN GENERAL.—Each local educational
23 agency receiving funds under this part shall—

1 “(A) use the State academic assessments,
2 including measures of student growth and grad-
3 uation rates, and data on the state-established
4 equity indicators described in section
5 1111(c)(1)(C) to review, annually, the progress
6 of each school served under this part, and con-
7 sistent with the parameters described in para-
8 graph (2), to determine whether the school is—

9 “(i) meeting performance targets,
10 growth targets, and graduation rate tar-
11 gets established under section 1111(c)(2);
12 and

13 “(ii) making progress to address
14 school challenges identified using the state-
15 established equity indicators described in
16 section 1111(c)(1)(C);

17 “(B) based on the review conducted under
18 subparagraph (A), determine whether a school
19 served under this part is—

20 “(i) in need of support as described
21 under section 1111(c)(1)(E)(ii); or

22 “(ii) a high priority school that meets
23 the State-established parameters under
24 paragraph (2);

1 “(C) publicize and disseminate the results
2 of the local annual review described in subpara-
3 graph (A) to parents, teachers, principals,
4 schools, and the community so that the teach-
5 ers, principals, other staff, and schools can con-
6 tinually refine, in an instructionally useful man-
7 ner, the program of instruction to help all chil-
8 dren served under this part meet the college
9 and career ready achievement standards estab-
10 lished under section 1111(b); and

11 “(D) use the equity indicators established
12 under section 1111(c)(1)(C) to diagnose school
13 challenges and measure school progress in car-
14 rying out the school improvement activities
15 under this section.

16 “(2) HIGH PRIORITY SCHOOLS.—The State
17 educational agency shall establish parameters, con-
18 sistent with section 1111(c)(1)(E)(i), to assist local
19 educational agencies in identifying high priority
20 schools within the local educational agency that—

21 “(A) for elementary schools—

22 “(i) shall use student achievement on
23 the assessments required under section
24 1111(b)(3), including prior year data;

1 “(ii) shall use student growth data on
2 the assessments under section 1111(b)(3),
3 including prior year data; and

4 “(iii) shall use, to a lesser extent than
5 each of the parameters established in
6 clauses (i) and (ii), data on the equity indi-
7 cators established under section
8 1111(c)(1)(C); and

9 “(B) for secondary schools—

10 “(i) shall use student achievement on
11 the assessments required under section
12 1111(b)(3), including prior year data;

13 “(ii) shall use student growth data on
14 the assessments under section 1111(b)(3),
15 including prior year data;

16 “(iii) shall use graduation rate data,
17 including prior year data; and

18 “(iv) shall use, to a lesser extent than
19 each of the parameters established in
20 clauses (i) through clause (iii), data on the
21 equity indicators established under section
22 1111(c)(1)(C); or

23 “(v) shall include schools with 4-year
24 adjusted cohort graduation rates below 67
25 percent as high priority schools.

1 “(b) SCHOOL IMPROVEMENT.—

2 “(1) IN GENERAL.—Each school served under
3 this part determined to be a school in need of sup-
4 port pursuant to section 1111(c)(1)(C)(ii) or a high-
5 priority school pursuant to 1111(c)(1)(C)(i), shall
6 form a school improvement team described in para-
7 graph (2) to develop and implement a school im-
8 provement plan described in paragraph (3) to im-
9 prove educational outcomes for all students and ad-
10 dress existing resource inequities.

11 “(2) SCHOOL IMPROVEMENT TEAM.—

12 “(A) IN GENERAL.—Each school described
13 in paragraph (1) shall form a school improve-
14 ment team, which shall include school leaders,
15 teachers, parents, community members, and
16 specialized instructional support personnel.

17 “(B) SCHOOLS IN NEED OF SUPPORT.—
18 Each school improvement team for a school in
19 need of support may include an external part-
20 ner and representatives of the local educational
21 agency and the State educational agency.

22 “(C) HIGH-PRIORITY SCHOOLS.—Each
23 school improvement team for a high-priority
24 school shall include an external partner and

1 representatives of the local educational agency
2 and the State educational agency.

3 “(3) SCHOOL IMPROVEMENT PLAN.—

4 “(A) IN GENERAL.—A school improvement
5 team shall develop, implement, and make pub-
6 licly available a school improvement plan that
7 uses information available under the account-
8 ability and school improvement system estab-
9 lished under section 1111(c), data available
10 under the early warning indicator system estab-
11 lished under subsection (c)(5), data on the im-
12 provement indicators established under section
13 1111(c)(1)(D), and other relevant data to iden-
14 tify—

15 “(i) each area in which the school
16 needs support for improvement;

17 “(ii) the type of support required;

18 “(iii) how the school plans to use com-
19 prehensive, evidence-based strategies to ad-
20 dress such needs;

21 “(iv) how the school will measure
22 progress in addressing such needs using
23 the goals and targets and improvement in-
24 dicators established under paragraphs (2)
25 and (1)(D) of section 1111(c), respectively,

1 and identify which of the goals and targets
2 are not currently being met by the school;
3 and

4 “(v) how the school will review its
5 progress and make adjustments and cor-
6 rections to ensure continuous improvement.

7 “(B) PLANNING PERIOD.—The school im-
8 provement team may use a planning period,
9 which shall not be longer than one school year
10 to develop and prepare to implement the school
11 improvement plan.

12 “(C) PLAN REQUIREMENTS.—Each school
13 improvement plan shall describe the following:

14 “(i) PLANNING AND PREPARATION.—
15 The activities during the planning period,
16 including—

17 “(I) the preparation activities
18 conducted to effectively implement the
19 budgeting, staffing, curriculum, and
20 instruction changes described in the
21 plan; and

22 “(II) how the school improve-
23 ment team engaged parents and com-
24 munity organizations.

1 “(ii) TARGETS.—The performance,
2 growth, and graduation rate targets that
3 contributed to the school’s status as a
4 school in need of support or high-priority
5 school, and the school challenges identified
6 by the school improvement indicators
7 under section 1111(e)(1)(D).

8 “(iii) EVIDENCE-BASED, SCHOOL IM-
9 PROVEMENT STRATEGIES.—Evidence-
10 based, school improvement strategies to
11 address the factors and challenges de-
12 scribed in clause (ii), to improve instruc-
13 tion, including in all core academic sub-
14 jects, to improve the achievement of all
15 students and address the needs of students
16 identified at the catch-up level of achieve-
17 ment.

18 “(iv) NEEDS AND CAPACITY ANAL-
19 YSIS.—A description and analysis of the
20 school’s ability and the resources necessary
21 to implement the evidence-based, school
22 improvement strategies identified under
23 clause (iii), including an analysis of—

24 “(I) staffing resources, such as
25 the number, experience, training level,

1 effectiveness as determined by the
2 State or local educational agency, re-
3 sponsibilities, and stability of existing
4 administrative, instructional, and non-
5 instructional staff;

6 “(II) budget resources, including
7 how Federal, State, and local funds
8 are being spent for instruction and
9 operations to determine how existing
10 resources can be aligned and used to
11 support improvement;

12 “(III) the school curriculum;

13 “(IV) the use of time, such as
14 the school’s schedule and use of addi-
15 tional learning time; and

16 “(V) any additional resources
17 and staff necessary to effectively im-
18 plement the school improvement ac-
19 tivities identified in the school im-
20 provement plan.

21 “(v) IDENTIFYING ROLES.—The roles
22 and responsibilities of the State edu-
23 cational agency, the local educational agen-
24 cy, the school and, if applicable, the exter-
25 nal partner in the school improvement ac-

1 activities, including providing interventions,
2 support, and resources necessary to imple-
3 ment improvements.

4 “(vi) PLAN FOR EVALUATION.—The
5 plan for continuous evaluation of the evi-
6 dence-based, school improvement strate-
7 gies, including implementation of and fidel-
8 ity to the school improvement plan, that
9 includes at least quarterly reviews of the
10 effectiveness of such activities.

11 “(D) ADDITIONAL REQUIREMENTS FOR
12 HIGH-PRIORITY SCHOOLS.—For a persistently-
13 low achieving school, the school improvement
14 plan shall, in addition to the requirements de-
15 scribed in subparagraph (B), describe how the
16 school will—

17 “(i) address school-wide factors to im-
18 prove student achievement, including—

19 “(I) establishing high expecta-
20 tions for all students, which at a min-
21 imum, align with the achievement
22 standards and growth standards
23 under section 1111(b)(4);

24 “(II) improving school climate,
25 including student attendance and

1 school discipline, through the use of
2 school-wide positive behavioral sup-
3 ports and interventions and other evi-
4 dence based approaches to improving
5 school climate;

6 “(III) ensuring that the staff
7 charged with implementing the school
8 improvement plan are engaged in the
9 plan and the school turnaround effort;

10 “(IV) establishing clear—

11 “(aa) benchmarks for imple-
12 mentation of the plan; and

13 “(bb) targets for improve-
14 ment on the equity indicators
15 under section 1111(c)(1)(C);

16 “(ii) organize the school to improve
17 teaching and learning, including through—

18 “(I) strategic use of time, such
19 as—

20 “(aa) establishing common
21 planning time for teachers and
22 interdisciplinary teams who share
23 common groups of students;

24 “(bb) redesigning the school
25 calendar year or day, such as

1 through block scheduling, sum-
2 mer learning programs, or in-
3 creasing the number of hours or
4 days, in order to create addi-
5 tional learning time; or

6 “(cc) creating a flexible
7 school period to address specific
8 student academic needs and in-
9 terests such as credit recovery,
10 electives, enrichment activities, or
11 service learning; and

12 “(II) alignment of resources to
13 improvement goals, such as through
14 ensuring that students in transition
15 grades are taught by teachers pre-
16 pared to meet their specific learning
17 needs;

18 “(iii) increase teacher and school lead-
19 er effectiveness, as determined by the State
20 or local educational agency, including
21 through—

22 “(I) demonstrating the principal
23 has the skills, capacity, and record of
24 success to significantly improve stu-
25 dent achievement and lead a school

1 turnaround, which may include replac-
2 ing the principal;

3 “**(II)** screening all existing staff
4 at the school, with the leadership
5 team, through a process that ensures
6 a rigorous and fair review of their ap-
7 plications;

8 “**(III)** improving the recruitment
9 and retention of qualified and effec-
10 tive teachers and principals, as deter-
11 mined by the State or local edu-
12 cational agency, to work in the school;

13 “**(IV)** professional development
14 activities that respond to student and
15 school-wide needs aligned with the
16 school improvement plan, such as—

17 “**(aa)** training teachers,
18 leaders, and administrators to-
19 gether with staff from schools
20 making achievement goals and
21 performance targets under the
22 accountability system under sec-
23 tion 1111(c) that serve similar
24 populations and in such schools;

1 “(bb) establishing peer
2 learning and coaching among
3 teachers; or

4 “(cc) facilitating collabora-
5 tion, including through profes-
6 sional communities across subject
7 area and interdisciplinary groups
8 and similar schools;

9 “(V) appropriately identifying
10 teachers for each grade and course;
11 and

12 “(VI) the development of effec-
13 tive leadership structures, supports,
14 and clear decision making processes,
15 such as through developing distribu-
16 tive leadership and leadership teams;

17 “(iv) improve curriculum and instruc-
18 tion, including through—

19 “(I) demonstrating the relevance
20 of the curriculum and learning for all
21 students, including instruction in all
22 core academic subjects, and may in-
23 clude the use of online course-work as
24 long as such course-work meets stand-

1 ards of quality and best practices for
2 online education;

3 “(II) increasing access to rig-
4 orous and advanced course-work, in-
5 cluding adoption and implementation
6 of a college- and career-ready cur-
7 riculum, and evidence-based, engaging
8 instructional materials aligned with
9 such a curriculum, for all students;

10 “(III) increasing access to
11 contextualized learning opportunities
12 aligned with readiness for postsec-
13 ondary education and the workforce,
14 such as providing—

15 “(aa) work-based, project-
16 based, and service-learning op-
17 portunities; or

18 “(bb) a high-quality, college
19 preparatory curriculum in the
20 context of a rigorous career and
21 technical education core;

22 “(IV) regularly collecting and
23 using data to inform instruction, such
24 as—

1 “(aa) through use of forma-
2 tive assessments;

3 “(bb) creating and using
4 common grading rubrics; or

5 “(cc) identifying effective in-
6 structional approaches to meet
7 student needs; and

8 “(V) emphasizing core skills in-
9 struction, such as literacy, across con-
10 tent areas;

11 “(v) provide students with academic
12 and social support to address individual
13 student learning needs, including
14 through—

15 “(I) ensuring access to services
16 and expertise of specialized instruc-
17 tional support personnel;

18 “(II) supporting students at the
19 catch-up level of achievement who
20 need intensive intervention;

21 “(III) increasing personalization
22 of the school experience through
23 learning structures that facilitate the
24 development of student and staff rela-
25 tionships;

1 “(IV) offering extended-learning,
2 credit recovery, mentoring, or tutoring
3 options of sufficient scale to meet stu-
4 dent needs;

5 “(V) providing evidence-based,
6 accelerated learning for students with
7 academic skill levels below grade level;

8 “(VI) coordinating and increas-
9 ing access to integrated services, such
10 as providing specialized instructional
11 support personnel;

12 “(VII) providing transitional sup-
13 port between grade-spans, including
14 postsecondary planning.

15 “(VIII) meeting the diverse
16 learning needs of all students through
17 strategies such as a multi-tier system
18 of supports and universal design for
19 learning, as described in section
20 5429(b)(21); and

21 “(IX) engaging families and com-
22 munity partners, including commu-
23 nity-based organizations, organiza-
24 tions representing underserved popu-
25 lations, Indian tribes (as appropriate),

1 organizations assisting parent involve-
2 ment, institutions of higher education,
3 and businesses, in school improvement
4 activities through evidence-based
5 strategies.

6 “(E) SUBMISSION AND APPROVAL.—The
7 school improvement team shall submit the
8 school improvement plan to the local edu-
9 cational agency or the State educational agency,
10 as determined by the State educational agency
11 based on the local educational agency’s ability
12 to effectively monitor and support the school
13 improvement activities. Upon receiving the plan,
14 the local educational agency or the State edu-
15 cational agency, as appropriate, shall—

16 “(i) establish a peer review process to
17 assist with review of the school improve-
18 ment plan; and

19 “(ii) promptly review the plan, work
20 with the school improvement team as nec-
21 essary, and approve the plan if the plan
22 meets the requirements of this paragraph.

23 “(F) REVISION OF PLAN.—A school im-
24 provement team may revise the school improve-

1 ment plan as additional information and data is
2 available.

3 “(G) IMPLEMENTATION.—A school with
4 the support and assistance of the local edu-
5 cational agency shall implement the school im-
6 provement plan expeditiously, but not later than
7 the beginning of the next full school year after
8 identification for improvement.

9 “(4) EVALUATION OF SCHOOL IMPROVE-
10 MENT.—

11 “(A) IN GENERAL.—

12 “(i) REVIEW.—The State educational
13 agency or local educational agency, as de-
14 termined by the State in accordance with
15 paragraph (3)(D) shall, annually, review
16 data with respect to each school in need of
17 support and each high-priority school to
18 set clear benchmarks for progress, to guide
19 adjustments and corrections, to evaluate
20 whether the supports and interventions
21 identified within the school improvement
22 plan are effective and the school is meeting
23 the targets for improvement established
24 under its such plan, and to specify what

1 actions ensue for schools not making
2 progress.

3 “(ii) DATA.—In carrying out the an-
4 nual review under clause (i), the school,
5 the local educational agency, or State edu-
6 cational agency shall measure progress
7 on—

8 “(I) student achievement, stu-
9 dent growth, and graduation rates
10 against the goals and targets estab-
11 lished under section 1111(c)(2); and

12 “(II) improvement indicators as
13 established under section
14 1111(c)(1)(D).

15 “(B) SCHOOLS IN NEED OF SUPPORT.—If,
16 after 3 years of implementing its school im-
17 provement plan, a school in need of support
18 does not meet the goals and targets under sec-
19 tion 1111(c)(2) that were identified under the
20 school improvement plan as not being met by
21 the school and the improvement indicators es-
22 tablished under section 1111(c)(1)(D), then—

23 “(i) the local educational agency shall
24 evaluate school performance and other
25 data, and provide intensive assistance to

1 that school in order to improve the effec-
2 tiveness of the interventions; and

3 “(ii) the State educational agency or
4 the local educational agency, as determined
5 by the State, shall determine whether the
6 school shall partner with an external part-
7 ner—

8 “(I) to revise the school improve-
9 ment plan; and

10 “(II) to improve, and as appro-
11 priate, revise, school improvement
12 strategies that meet the requirements
13 of paragraph (3)(B)(iii).

14 “(C) HIGH-PRIORITY SCHOOLS.—If, after
15 3 years of implementing its school improvement
16 plan, a high-priority school does not dem-
17 onstrate progress on the goals and targets
18 under section 1111(c)(2) that were identified
19 under the school improvement plan as not being
20 met by the school or the equity indicators estab-
21 lished under section 1111(c)(1)(C), then—

22 “(i) the local educational agency, in
23 collaboration with the State educational
24 agency, shall determine actionable next
25 steps which may include school closure, re-

1 placement, or State take-over of such
2 school, shall provide all students enrolled
3 with new high-quality educational options;

4 “(ii) the local educational agency, and
5 as appropriate the State educational agen-
6 cy, shall develop and implement a plan to
7 assist with any resulting transition of the
8 school under clause (i) that—

9 “(I) is developed in consultation
10 with parents and the community;

11 “(II) addresses the needs of the
12 students at the school by considering
13 strategies such as—

14 “(aa) opening a new school;

15 “(bb) graduating out cur-
16 rent students and closing the
17 school in stages; and

18 “(cc) enrolling the students
19 who attended the school in other
20 schools in the local educational
21 agency that are higher achieving,
22 provided the other schools are
23 within reasonable proximity to
24 the closed school and ensures re-

1 ceiving schools have the capacity
2 to enroll incoming students; and
3 “(III) provides information about
4 high-quality educational options and
5 transition and support services to stu-
6 dents who attended that school and
7 their parents.

8 “(D) PERSISTENTLY LOW ACHIEVING
9 SCHOOL.—If, after 5 years of implementing its
10 school improvement plan, a persistently low
11 achieving school does not demonstrate progress
12 on the goals and targets under section
13 1111(c)(2) that were identified under the school
14 improvement plan, then the local educational
15 agency, in collaboration with the State edu-
16 cational agency, shall determine actionable next
17 steps, which may include school closure, re-
18 placement, or State take-over of such school,
19 and shall provide all students with enrolled new
20 high-quality educational options, as described in
21 subparagraph (C).

22 “(c) LOCAL EDUCATIONAL AGENCY RESPONSIBIL-
23 ITIES.—A local educational agency served by this part, in
24 supporting the schools identified as a school in need of

1 support or a high-priority school served by the agency,
2 shall—

3 “(1) address resource inequities to improve stu-
4 dent achievement by—

5 “(A) targeting resources and support to
6 those schools identified as high priority or as in
7 need of support, including additional resources
8 and staff necessary to implement the school im-
9 provement plan, as described in subsection
10 (b)(3)(C)(iv)(V), and

11 “(B) ensuring the local educational agency
12 budget calendar is aligned with school staff and
13 budgeting needs;

14 “(2) address local educational agency-wide fac-
15 tors to improve student achievement by—

16 “(A) supporting the use of data to improve
17 teaching and learning through—

18 “(i) improving longitudinal data sys-
19 tems;

20 “(ii) regularly analyzing and dissemi-
21 nating usable data to educators, parents,
22 and students;

23 “(iii) building the data and assess-
24 ment literacy of teachers and principals;
25 and

1 “(iv) evaluating at kindergarten entry
2 the kindergarten readiness of children and
3 addressing the educational and develop-
4 ment needs determined by such evaluation;
5 “(B) addressing school transition needs of
6 the local educational agency by—

7 “(i) using kindergarten readiness data
8 to consider improving access to high-qual-
9 ity early education opportunities; and

10 “(ii) providing targeted research-
11 based interventions to middle schools that
12 feed into high schools identified for school
13 improvement under this section;

14 “(C) supporting human capital systems
15 that ensure there is a sufficient pool of quali-
16 fied and effective teachers and school leaders,
17 as determined by the State or local educational
18 agency, to work in schools served by the local
19 educational agency;

20 “(D) developing support for school im-
21 provement plans among key stakeholders such
22 as parents and families, community groups rep-
23 resenting underserved populations, Indian tribes
24 (as appropriate), educators, and teachers;

1 “(E) carrying out administrative duties
2 under this section, including evaluation for
3 school improvement and technical assistance for
4 schools; and

5 “(F) coordinating activities under this sec-
6 tion with other relevant State and local agen-
7 cies, as appropriate;

8 “(3) supporting professional development activi-
9 ties for teachers, school leaders, and specialized in-
10 structional support personnel aligned to school im-
11 provement activities;

12 “(4) address curriculum and instruction factors
13 to improve student achievement by—

14 “(A) ensuring curriculum alignment with
15 the State’s early learning standards and post-
16 secondary education programs;

17 “(B) providing academically rigorous edu-
18 cation options such as—

19 “(i) effective dropout prevention, cred-
20 it and dropout recovery and recuperative
21 education programs for disconnected youth
22 and students who are not making suffi-
23 cient progress to graduate high school in
24 the standard number of years or who have
25 dropped out of high school;

- 1 “(ii) providing students with postsec-
- 2 ondary learning opportunities, such as
- 3 through access to a relevant curriculum or
- 4 course of study that enables a student to
- 5 earn a secondary school diploma and—
- 6 “(I) an associate’s degree; or
- 7 “(II) not more than 2 years of
- 8 transferable credit toward a postsec-
- 9 ondary degree or credential;
- 10 “(iii) integrating rigorous academic
- 11 education with career training, including
- 12 training that leads to postsecondary cre-
- 13 dentials for students;
- 14 “(iv) increasing access to Advanced
- 15 Placement or International Baccalaureate
- 16 courses and examinations; or
- 17 “(v) developing and utilizing innova-
- 18 tive, high quality distance learning strate-
- 19 gies to improve student academic achieve-
- 20 ment; and
- 21 “(C) considering how technology can be
- 22 used to support school improvement activities;
- 23 “(5) address student support factors to improve
- 24 student achievement by—

1 “(A) establishing an early warning indi-
2 cator system to identify students who are at
3 risk of dropping out of high school and to guide
4 preventive and recuperative school improvement
5 strategies, including—

6 “(i) identifying and analyzing the aca-
7 demic risk factors that most reliably pre-
8 dict dropouts by using longitudinal data of
9 past cohorts of students;

10 “(ii) identifying specific indicators of
11 student progress and performance, such as
12 attendance, academic performance in core
13 courses, and credit accumulation, to guide
14 decision making;

15 “(iii) identifying or developing a
16 mechanism for regularly collecting and
17 analyzing data about the impact of inter-
18 ventions on the indicators of student
19 progress and performance; and

20 “(iv) analyzing academic indicators to
21 determine whether students are on track to
22 graduate secondary school in the standard
23 numbers of years; and

24 “(B) identifying and implementing strate-
25 gies for pairing academic support with inte-

1 grated student services and case-managed inter-
2 ventions for students requiring intensive sup-
3 ports which may include partnerships with
4 other external partners;

5 “(6) promote family outreach and engagement
6 in school improvement activities, including those re-
7 quired by section 1118, to improve student achieve-
8 ment;

9 “(7) for each school identified for school im-
10 provement, ensure the provision of technical assist-
11 ance as the school develops and implements the
12 school improvement plan throughout the plan’s du-
13 ration; and

14 “(8) identify school improvement strategies that
15 are consistently improving student outcomes and dis-
16 seminate those strategies so that all schools can im-
17 plement them.

18 “(d) STATE EDUCATIONAL AGENCY RESPONSIBIL-
19 ITIES.—A State educational agency served by this part,
20 in supporting schools identified as a school in need of sup-
21 port or a high-priority school and the local educational
22 agencies serving such schools, shall—

23 “(1) assess and address local capacity con-
24 straints to ensure that its local educational agencies
25 can meet the requirements of this section;

1 “(2) target resources and support to those
2 schools in the State that are identified as a school
3 in need of support or a high-priority school and to
4 local educational agencies serving such schools, in-
5 cluding additional resources necessary to implement
6 the school improvement plan as described in sub-
7 section (b)(3)(C)(iv)(V);

8 “(3) provide support and technical assistance,
9 including assistance to school leaders, teachers, and
10 other staff, to assist local educational agencies and
11 schools in using data to support school equity and
12 in addressing the equity indicators described in sec-
13 tion 1111(c)(1)(C);

14 “(4) identify school improvement strategies that
15 are consistently improving student outcomes and dis-
16 seminate those strategies so that all schools can im-
17 plement them;

18 “(5) leverage resources from other funding
19 sources, such as school improvement funds, tech-
20 nology funds, and professional development funds to
21 support school improvement activities;

22 “(6) provide a statewide system of support, in-
23 cluding regional support services, to improve teach-
24 ing, learning, and student outcomes;

1 “(7) assist local educational agencies in devel-
2 oping early warning indicator systems;

3 “(8) with respect to schools that will work with
4 external partners to improve student achievement—

5 “(A) develop and apply objective criteria to
6 potential external partners that are based on a
7 demonstrated record of effectiveness in school
8 improvement;

9 “(B) maintain an updated list of approved
10 external partners across the State;

11 “(C) develop, implement, and publicly re-
12 port on standards and techniques for moni-
13 toring the quality and effectiveness of the serv-
14 ices offered by approved external partners, and
15 for withdrawing approval from external part-
16 ners that fail to improve high-priority schools;
17 and

18 “(D) may identify external partners as ap-
19 proved, consistent with the requirements under
20 paragraph (7), who agree to provide services on
21 the basis of receiving payments only when stu-
22 dent achievement has increased at an appro-
23 priate level as determined by the State edu-
24 cational agency and school improvement team
25 under subsection (b)(2); and

1 “(9) carry out administrative duties under this
2 section, including providing monitoring and technical
3 assistance to local educational agencies and schools.

4 “(e) RULES OF CONSTRUCTION.—Nothing in this
5 section shall be construed—

6 “(1) to alter or otherwise affect the rights, rem-
7 edies, and procedures afforded school or local edu-
8 cational agency employees under Federal, State, or
9 local laws (including applicable regulations or court
10 orders) or under the terms of collective bargaining
11 agreements, memoranda of understanding, or other
12 agreements between such employees and their em-
13 ployers;

14 “(2) to require a child to participate in an early
15 learning program; or

16 “(3) to deny entry to kindergarten for any indi-
17 vidual if the individual is legally eligible, as defined
18 by State or local law.

19 “(f) DEFINITION.—In this section, the term ‘external
20 partner’ means an entity—

21 “(1) that is an organization such as a nonprofit
22 organization, community-based organization, local
23 education fund, service organization, educational
24 service agency, or institution of higher education;
25 and

1 “(2) that has demonstrated expertise, effective-
2 ness, and a record of success in providing evidence-
3 based strategies and targeted support such as data
4 analysis, professional development, or provision of
5 nonacademic support and integrated student services
6 to local educational agencies, schools, or students
7 that leads to improved teaching, learning, and out-
8 comes for students.”.

